

Iowa (Mr. LEACH) that the House suspend the rules and pass the bill, H.R. 1161, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 4656, LAKE TAHOE BASIN LAND CONVEYANCE

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 634 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 634

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4656) to authorize the Forest Service to convey certain lands in the Lake Tahoe Basin to the Washoe County School District for use as an elementary school site. All points of order against the bill and against its consideration are waived. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Resources; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, House Resolution 634 is a closed rule waiving all points of order against H.R. 4656, the conveyance of certain forest service land in the Lake Tahoe Basin and against its consideration. The rule provides 1 hour of debate to be equally divided between the chairman and ranking minority member of the Committee on Resources. The rule also provides one motion to recommit with or without instruction.

H.R. 4656 authorizes the Secretary of Agriculture to convey for fair market value approximately 8.7 acres of Federal land in the Lake Tahoe Basin to the Washoe County District for use as an elementary school site. The bill provides that the land may be used only for this purpose and that it would revert back to the Federal Government if used for any other purpose. The bill was introduced by my friend, the gentleman from Nevada (Mr. GIBBONS), and was considered by the House on October 10, 2000. Although the bill was supported by a considerable majority in

the House, it failed to receive the two-thirds necessary for passage under the suspension of the rules. The Congressional Budget Office estimates that enactment of H.R. 4656 would have no significant impact on the Federal budget. Because the bill would affect direct spending, pay-as-you-go procedures would apply. However, CBO estimates that such effects would be less than \$500,000 per year. H.R. 4656 does not contain any intergovernmental or private sector mandates as defined by the Unfunded Mandates Reform Act. Accordingly, Mr. Speaker, I urge my colleagues to support both the rule and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Washington (Mr. HASTINGS) for yielding me the customary half-hour, and I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to this closed rule. This rule provides for the consideration of a bill allowing the Forest Service to sell environmentally sensitive land at below market value to an affluent school district in a Republican Member's congressional district. Now, Mr. Speaker, I realize that our schools are overcrowded; but they are overcrowded everywhere, from Boston to Burbank, from Bismarck to Biloxi.

With this bill, Republicans are doing a special favor for one school while my Republican colleagues are ignoring overcrowded schools everywhere else.

Mr. Speaker, American children deserve better. The Democrats' number one priority is the education of our children. They deserve much more than the crowded schools that are crumbling down around them.

The average age of schools in the United States is 42 years. Rather than helping out one affluent school district, my Republican colleagues should be funding the Democrat initiative to help all school districts; but this bill will not do that, Mr. Speaker. Furthermore, this bill sells the taxpayers short. It transfers land at far less than its value. The land is worth between \$2 million and \$4 million and this bill will sell it for \$500,000. Rather than allowing the gentleman from California (Mr. GEORGE MILLER), the ranking member of the Committee on Resources, to offer his amendment selling the land for its actual value, my colleagues are proposing this closed rule that prohibits amendments. Meanwhile, Mr. Speaker, schools everywhere else are scrambling for the funds to go expand and modernize their buildings and getting nothing from my colleagues on the other side. The Republican budget neither provides nor guarantees funding for urgent school repairs and no money for school modernization bonds. Mr. Speaker, it should.

American children do deserve better. I urge my colleagues to oppose this rule.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. GIBBONS), the author of the underlying legislation.

Mr. GIBBONS. Mr. Speaker, to my colleague and friend, the gentleman from the State of Washington (Mr. HASTINGS), I want to also thank him for his leadership and for allowing me to speak on this rule today.

Mr. Speaker, I rise in strong support for this rule, which will allow an open debate on H.R. 4656 a bill which will sell 8.7 acres of the Forest Service land to Washoe County School District at fair market value for the limited use as an elementary school site. H.R. 4656 is a product of much hard work, compromise and discussion and strikes a careful balance that will benefit all parties involved and provide over 400 students at Incline Village with a safe and accommodating school facility.

□ 1800

Local officials from both the school district and the United States Forest Service, as well as environmental groups such as the League to Save Lake Tahoe, have had an integral role in crafting this important legislation. As a result of this valuable local input, this legislation is supported by the entire Nevada congressional delegation, as well as interested community groups.

Most significantly, Mr. Speaker, H.R. 4656 is strongly supported by the parents, teachers and the students of Incline Village. The present Incline Village Elementary School was constructed in 1964 and can no longer meet the needs of an increasing student population. The overcrowding problems have become so severe that the school must now place up to 40 children in each classroom. There is simply no room left to expand the current school, and the only available land suitable for a new school is the Federal land to be sold to the county school district under H.R. 4656.

Mr. Speaker, I say "sold," not given away, because the land will not be given away for free, although this Congress has done so for even Members on the other side of the aisle recently in the past for school construction. Instead, the school district will pay the fair market value for the land for its use as a school site. Yet I understand the administration and my colleagues on the other side of the aisle would like to get 800 percent more for this land than its appraised value would be as a school site.

Mr. Speaker, this is just unconscionable to me, that the administration wants to put such a high price on the education of 400 children. I am committed to working to enhance the educational opportunities for the children

of Nevada, and this bill will allow 400 students the space to learn and grow in a suitable school facility.

Mr. Speaker, I urge all of my colleagues to support this fair rule and the underlying bill.

Ms. SLAUGHTER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, H.R. 4656 authorizes the Secretary of Agriculture to convey for fair market value approximately 8.7 acres of land in a parcel in the Tahoe National Forest in Incline Village, Nevada, to the Washoe County School District for the use as an elementary site. The parcel has been valued at between \$2 million and \$4 million. However, because of the deed restriction directing the use of the school site or a reversionary clause, the Forest Service believes that the appraised value would be reduced by 75 percent, or approximately \$500,000.

This bill requires the proceeds of the sale to be used for acquiring environmentally sensitive land in Lake Tahoe. This all sounds good, until you examine this deal.

The deed restriction, this land was purchased because it is environmentally-sensitive land. I realize that there has been development around it, but that was the purpose and the priority for which it was purchased by the public. Now, because it has a deed restriction, they say that they want it transferred to the school district for \$500,000, as opposed to fair market value.

Well, if you are a school district and you are using it for that purpose, and that is the purpose of the deed restriction, it is like getting a full-valued piece of property, because that is all you are going to use it for. But now we have worked in a discount in this property, and then we are told we can take this \$500,000 and we can take that and go out and try to buy equally environmentally-sensitive land somewhere else in the Tahoe Basin, when in fact we are talking about some of the most expensive land in the State.

In many parts of the Tahoe Basin, \$500,000 will not buy you a 50-by-100 building lot, much less a school site or environmentally-sensitive land or anything else. The fact of the matter is that this land is valuable for that very reason, because either people want to enjoy it for their own homes or recreational benefits and/or because there is so little land left in the Tahoe Basin, given what we have to do.

Yesterday we passed a bill here to spend \$300 million of Federal taxpayer monies to protect this very same basin, and yet we are giving away environmentally-sensitive land here, with the belief that somehow we are going to replace it, and I object to that.

I think that this is a continuation of a misuse of public resources, when in fact the local entity has all of the wherewithal to purchase the land at fair market value. Certainly they ought to purchase it for, at a minimum, what they just sold their own school land for, which was, I guess, about \$850,000. They could take that and buy this site, which they believe to be a superior site, but they would rather have a discount paid for by the Federal taxpayers.

The gentleman from Nevada suggested that somehow this is the same as other legislation that we have done. The fact of the matter is that is not the case, because in most instances, as we do with little disagreement on a bipartisan basis, we transfer land from the Federal Government to public agencies all the time. In most instances, that land is sort of generic Federal land, if you will. It really in some cases has no other value other than to be transferred to a local agency, whether it is a city or a school district or a sanitation district or whatever, as we have done now in a number of instances in the Committee on Resources.

But this bill is simply bad policy, and it is bad economics for the taxpayer; and I think it is bad for the environment in the Lake Tahoe Basin.

I think this bill also points out a continuing problem that we have in the Committee on Resources; and although this is not technically a land exchange, it is part of the same parcel where, once again, we just continue to dip into the Federal land base and we parcel it out on less than a fair market value, less than equal basis, when we engage in land exchanges.

This committee and the Congress was just recently again put on notice by the General Accounting Office as to the problems that we are having in these exchanges. A number of them exist in the gentleman's home State, where the Federal Government, through, I think, bad policy on behalf of the Forest Service and the Bureau of Land Management, but especially the Bureau of Land Management, has engaged in real estate practices on behalf of the taxpayer, where the taxpayer ought to just scream to high heaven that they want a new real estate agent.

We have seen properties that have been flipped on the same day of sale, where the Federal Government got its "value" of \$763,000 in Nevada, only to find out that the same day that property was resold for \$4.5 million. In another instance we got the "value" of \$504,000, only to have that property sold for \$1 million the very same day. I think it calls into question.

So when the Forest Service makes a determination that because this land has a deed restriction, but it happens to be a deed restriction that allows you to use it exactly for that purpose, of a

school, of which you want it, land which you cannot find suitably elsewhere, for the Forest Service now to step forward with a straight face and suggest that the value of this 8.5 acres of land in the middle of Incline Village, somehow the value here is \$500,000, is simply not true. If the school district went out on the open market and sought to purchase 8.5 acres in the Tahoe Basin, the land value would exceed \$500,000 in any instance.

For those reasons, I think that the Congress ought to reject this legislation. This is not a declaration against all land swaps, because we have done land swaps, we have done land exchanges and done outright grants of land, as we did yesterday in a number of instances. But in those cases, the value of the land was essentially de minimis, other than the purpose for which some local agency wanted to put it to use.

So I think at some point you have got to cry "halt" here to having the Federal taxpayer just continuing to subsidize these kinds of arrangements, where in fact we simply cannot look our constituents in the face and suggest to them we got fair value or in any way did we get market value.

The fact of the matter was that the gentleman from Washington (Mr. SMITH) tried to offer an amendment to provide for fair market value. That was rejected in the committee, and now we are operating under a closed rule so that he cannot offer that amendment so that we will have an opportunity to find out whether or not we can get fair market value for the taxpayers in the use of this land for the school district.

I think that would be a much fairer way to go, but it is obvious that the proponents of this legislation do not want to engage in that public process of determining fair market value. They simply want the Forest Service, which I might add, the proponents here who show such great support for the Forest Service evaluation are the same people who are usually beating the hell out of the Forest Service on a daily basis, but all of a sudden they become outstanding appraisers of the public land in the Tahoe Basin. But I guess it is the end of the session.

Mr. Speaker, I would hope Members would vote against this rule and that the gentleman from Washington (Mr. SMITH) would get an opportunity to offer his amendment, and we could square the books on behalf of the taxpayer.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

After this 15-minute vote on House Resolution 634, pursuant to clause 8, rule XX, the Chair will resume proceedings on—and will reduce to 5 minutes the minimum time for electronic voting on—two of the motions to suspend the rules debated earlier today on which the yeas and nays were ordered, to wit:

(1) House Concurrent Resolution 414; and

(2) H.R. 4271.

Other questions on which proceedings were postponed earlier today will resume tomorrow.

The vote was taken by electronic device, and there were—yeas 196, nays 181, not voting 55, as follows:

[Roll No. 541]

YEAS—196

Aderholt	Emerson	Latham
Archer	English	LaTourette
Armey	Everett	Leach
Bachus	Ewing	Lewis (KY)
Baker	Foley	Linder
Ballenger	Fossella	LoBiondo
Barr	Frelinghuysen	Lucas (OK)
Barrett (NE)	Gallely	Manzullo
Bartlett	Ganske	Martinez
Barton	Gekas	McCrery
Bass	Gibbons	McHugh
Bereuter	Gilchrest	McInnis
Berkley	Gillmor	McKeon
Biggert	Goodlatte	Metcalf
Bliley	Goodling	Miller (FL)
Blunt	Goss	Miller, Gary
Boehlert	Graham	Moran (KS)
Boehner	Granger	Morella
Bonilla	Greenwood	Myrick
Bono	Gutknecht	Nethercutt
Brady (TX)	Hall (TX)	Northup
Bryant	Hansen	Norwood
Burr	Hastings (WA)	Ose
Burton	Hayes	Oxley
Buyer	Hayworth	Packard
Callahan	Hefley	Paul
Calvert	Herger	Pease
Camp	Hill (MT)	Peterson (MN)
Canady	Hobson	Petri
Cannon	Hoekstra	Pickering
Chabot	Horn	Pickett
Chambliss	Hostettler	Pitts
Coble	Houghton	Pombo
Coburn	Hulshof	Porter
Collins	Hunter	Portman
Combest	Hutchinson	Pryce (OH)
Cook	Isakson	Quinn
Cooksey	Istook	Radanovich
Costello	Jenkins	Ramstad
Cox	Johnson (CT)	Regula
Crane	Johnson, Sam	Reynolds
Cunningham	Jones (NC)	Riley
Davis (VA)	Kasich	Rogan
DeMint	Kelly	Rogers
Diaz-Balart	Kildee	Rohrabacher
Doolittle	Kingston	Ros-Lehtinen
Dreier	Knollenberg	Roukema
Dunn	Kuykendall	Royce
Ehlers	LaHood	Ryan (WI)
Ehrlich	Largent	Ryun (KS)

Salmon	Souder
Sanford	Spence
Saxton	Stearns
Scarborough	Stump
Schaffer	Sununu
Sensenbrenner	Sweeney
Sessions	Tancred
Shadegg	Tauzin
Sherwood	Taylor (NC)
Shimkus	Terry
Shuster	Thomas
Simpson	Thornberry
Skeen	Thune
Smith (MI)	Tiahrt
Smith (NJ)	Toomey
Smith (TX)	Trafficant

NAYS—181

Abercrombie	Hilliard	Oberstar
Ackerman	Hinche	Obey
Allen	Hinojosa	Oliver
Andrews	Hoeffel	Ortiz
Baca	Holden	Owens
Baird	Holt	Pallone
Baldacci	Hooley	Pascarell
Baldwin	Hoyer	Pastor
Barcia	Inslee	Payne
Barrett (WI)	Jackson (IL)	Pelosi
Bentsen	Jackson-Lee	Phelps
Berman	(TX)	Pomeroy
Berry	Jefferson	Price (NC)
Bishop	Johnson, E.B.	Rahall
Blagojevich	Jones (OH)	Rangel
Blumenauer	Kanjorski	Reyes
Bonior	Kaptur	Rivers
Borski	Kennedy	Rodriguez
Boswell	Kilpatrick	Roemer
Boucher	Kind (WI)	Rothman
Boyd	Klecza	Roybal-Allard
Capps	Kucinich	Rush
Capuano	LaFalce	Sabo
Cardin	Lampson	Sanchez
Carson	Lantos	Sanders
Clay	Larson	Sandlin
Clayton	Lee	Sawyer
Clement	Levin	Schakowsky
Clyburn	Lewis (GA)	Scott
Condit	Lipinski	Serrano
Conyers	Lofgren	Sherman
Coyne	Lowey	Shows
Cramer	Lucas (KY)	Sisisky
Cummings	Luther	Skelton
Davis (FL)	Maloney (CT)	Slaughter
Davis (IL)	Maloney (NY)	Smith (WA)
DeFazio	Markey	Snyder
DeLauro	Mascara	Spratt
Deutsch	Matsui	Stabenow
Dicks	McCarthy (MO)	Stark
Dingell	McCarthy (NY)	Stenholm
Dixon	McDermott	Strickland
Doggett	McGovern	Tanner
Dooley	McIntyre	Tauscher
Doyle	McKinney	Taylor (MS)
Edwards	McNulty	Thompson (CA)
Eshoo	Meehan	Thompson (MS)
Etheridge	Meeks (NY)	Thurman
Evans	Millender-	Tierney
Farr	McDonald	Towns
Filner	Miller, George	Turner
Ford	Minge	Udall (CO)
Frank (MA)	Mink	Udall (NM)
Frost	Moakley	Velázquez
Gejdenson	Mollohan	Waters
Gephardt	Moore	Watt (NC)
Gonzalez	Moran (VA)	Waxman
Gordon	Murtha	Wexler
Green (TX)	Nader	Woolsey
Gutierrez	Napolitano	Wu
Hill (IN)	Neal	Wynn

NOT VOTING—55

Becerra	Delahunt	Hastings (FL)
Bilbray	DeLay	Hilleary
Bilirakis	Dickey	Hyde
Brady (PA)	Duncan	John
Brown (FL)	Engel	King (NY)
Brown (OH)	Fattah	Klink
Campbell	Fletcher	Kolbe
Castle	Forbes	Lazio
Chenoweth-Hage	Fowler	Lewis (CA)
Crowley	Franks (NJ)	McCollum
Cubin	Gilman	McIntosh
Danner	Goode	Meek (FL)
Deal	Green (WI)	Menendez
DeGette	Hall (OH)	Mica

Ney	Stupak	Weygand
Nussle	Talent	Wise
Peterson (PA)	Visclosky	Wolf
Shaw	Watts (OK)	
Shays	Weiner	

□ 1832

Messrs. THOMPSON of California, DAVIS of Illinois, MORAN of Virginia, GEPHARDT and LaFALCE changed their vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FLETCHER. Mr. Speaker, on rollcall No. 541, I was detained by an accident which forced me to miss my flight to Washington, DC. Had I been present, I would have voted “yea.”

RELATING TO REESTABLISHMENT OF REPRESENTATIVE GOVERNMENT IN AFGHANISTAN

The SPEAKER pro tempore (Mr. SHIMKUS). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 414, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 414, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 381, nays 0, not voting 51, as follows:

[Roll No. 542]

YEAS—381

Abercrombie	Borski	Cummings
Ackerman	Boswell	Cunningham
Aderholt	Boucher	Davis (FL)
Allen	Boyd	Davis (IL)
Andrews	Brady (TX)	Davis (VA)
Archer	Bryant	DeFazio
Armey	Burr	DeGette
Baca	Burton	DeLauro
Bachus	Buyer	DeMint
Baird	Callahan	Deutsch
Baker	Calvert	Diaz-Balart
Baldacci	Camp	Dicks
Baldwin	Canady	Dingell
Ballenger	Cannon	Dixon
Barcia	Capps	Doggett
Barr	Capuano	Dooley
Barrett (NE)	Cardin	Doolittle
Barrett (WI)	Carson	Doyle
Bartlett	Chabot	Dreier
Barton	Chambliss	Dunn
Bass	Clay	Edwards
Bentsen	Clayton	Ehlers
Bereuter	Clement	Ehrlich
Berkley	Clyburn	Emerson
Berman	Coble	English
Berry	Coburn	Eshoo
Biggert	Collins	Etheridge
Bishop	Combest	Evans
Blagojevich	Condit	Everett
Bliley	Conyers	Ewing
Blumenauer	Cook	Farr
Blunt	Cooksey	Filner
Boehlert	Costello	Fletcher
Boehner	Cox	Foley
Bonilla	Coyne	Ford
Bonior	Cramer	Fossella
Bono	Crane	Frank (MA)